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MEETING  
STATE OF CALIFORNIA  
INTEGRATED WASTE MANAGEMENT BOARD  
PERMITTING AND ENFORCEMENT COMMITTEE

JOE SERNA, JR., CALEPA BUILDING  
1001 I STREET  
2ND FLOOR  
COASTAL HEARING ROOM  
SACRAMENTO, CALIFORNIA

THURSDAY, FEBRUARY 10, 2005  
9:30 A.M.

JAMES F. PETERS, CSR, RPR  
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PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

APPEARANCES

COMMITTEE MEMBERS

Ms. Rosalie Mulé, Chairperson

Ms. Rosario Marin

Mr. Michael Paparian

STAFF

Mr. Mark Leary, Executive Director

Ms. Julie Nauman, Chief Deputy Director

Ms. Marie Carter, Chief Counsel

Mr. Howard Levenson, Deputy Director

Mr. Michael Bledsoe, Staff Counsel

Mr. Mark de Bie, Manager, Permitting and Inspection Branch

Ms. Jennifer Kiger

Mr. Wes Mindermann, Supervisor, Solid Waste Cleanup  
Programs Section

Ms. Bea Poroli

Ms. Allison Spreadborough

Mr. Tom Willett

ALSO PRESENT

Mayor Gloria Darling, City of Barstow

Assemblyman Bill Maze

Mr. David Pelser, County of Sacramento

Mr. Bob Pestoni, Southlake Compost Facility

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1 PROCEEDINGS

2 CHAIRPERSON MULÉ: Good morning. I'd like to  
3 welcome all of you to the February 10th meeting of the  
4 Permitting and Enforcement Committee.

5 Just a few housekeeping items before we get  
6 officially started. There are agendas on the back table  
7 as well as speaker slips. If you do wish to speak on an  
8 item, please complete a slip and give it to Ms. Duclo up  
9 front here.

10 And I would ask that everyone turn off your cell  
11 phones and pagers or put them on vibrate.

12 Thank you.

13 Members, are there any ex partes?

14 COMMITTEE MEMBER MARIN: I'm up to date.

15 COMMITTEE MEMBER PAPARIAN: I'm up to date.

16 CHAIRPERSON MULÉ: And I'm up to date.

17 Donnell, could you call the roll.

18 SECRETARY DUCLO: Board Members:

19 Marin?

20 COMMITTEE MEMBER MARIN: Present.

21 SECRETARY DUCLO: Paparian?

22 COMMITTEE MEMBER PAPARIAN: Here.

23 SECRETARY DUCLO: Chair Mulé?

24 CHAIRPERSON MULÉ: Here.

25 Okay. Let's get right into the agenda.

1           Howard, your Director's report please.

2           Thank you.

3           DEPUTY DIRECTOR LEVENSON: Thank you Madam Chair,  
4 and good morning, Board members. I'm Howard Levenson,  
5 Deputy for the Permitting and Enforcement Committee -- I  
6 mean Division. Excuse me.

7           I have a couple of items I'd like to let you know  
8 about. First of all our kind of monthly update on La  
9 Montana. As of earlier this week we'd removed 63 percent  
10 of the material, with about -- over 3500 trucks going out  
11 of the site. Just an amazing amount of work that's gone  
12 on. All of the air monitoring tests have remained below  
13 regulatory limits, so there's been no problems.

14          We anticipate by next week's Board meeting we'll  
15 be about three quarters done and that we should be able to  
16 wrap it up -- it looks like it's probably going to go into  
17 early March before we can have the final truck going out  
18 of the site. But it's going really well. So Kudos to  
19 Scott and Wes and Jeff Cornette and all the contractors  
20 down there. And look forward to a party down there.

21          COMMITTEE MEMBER MARIN: If I may, Madam Chair.  
22 I think that it would be really nice to -- just as we were  
23 there when the first truck rolled out, that we might want  
24 to be there when the last truck goes out.

25          CHAIRPERSON MULÉ: That's a wonderful idea.

1 COMMITTEE MEMBER MARIN: And I'm very serious  
2 about that. I actually do drive by every now and then. I  
3 told yesterday my son, "I need to go and do a drive-by.  
4 He said, "Mom!"

5 But it does -- you know, from the Alameda side  
6 you can see it anymore. You can still see it from Cottage  
7 because that's the end. But I think that it would be  
8 really -- something that we can look forward. And if we  
9 know ahead of time more or less when the last day would  
10 be, that maybe we can -- at least some of us could be  
11 there.

12 DEPUTY DIRECTOR LEVENSON: Yeah, we're in close  
13 communication with the Public Affairs Office and  
14 anticipate trying to put something together. And --

15 COMMITTEE MEMBER MARIN: Yeah, it's truly  
16 remarkable. What this Board has done is just amazing.  
17 And your contractor has done an incredible job.

18 DEPUTY DIRECTOR LEVENSON: And as part of Mr.  
19 Leary's Executive Director's report next week we'll have a  
20 few pictures to show, you know, what it looked like before  
21 we started and where it is right now. So get that  
22 viewpoint that you were speaking of.

23 A second item, I just want to give you a heads-up  
24 that pursuant to our regulatory requirements, Mr. Leary  
25 will be reporting next week at the Board meeting on the

1 issuance by LEA's of several emergency waivers for about  
2 ten facilities to deal with the management of solid waste  
3 related to last month's real heavy rainstorms. And these  
4 are in the counties of Orange, Riverside, Ventura, and San  
5 Bernardino. But Mark will report on that in more detail  
6 at the Board meeting.

7 And, lastly, just want to let you know that while  
8 today's agenda is relatively light, we do have a lot of  
9 things coming up before you.

10 In March we will have some seven permits, which I  
11 can get you a list of. We will have the long-term gas  
12 violation regulations before you. We'll have the annual  
13 LEA evaluation update. And at the Sustainability and  
14 Market Development Committee there will be the report from  
15 the construction and demolition debris working group and  
16 its survey. And that's fairly timely given the waste  
17 characterization information that you've been getting.  
18 And we'll have more at this month's committee meetings.

19 The April agenda looks like we'll have the RD&D  
20 regs; an item on the certification and training issue that  
21 we've had before the Board a few times; a discussion of  
22 our closed, illegal and abandoned site program; probably a  
23 discussion of the status of the conversion technology  
24 regulations and where to go with those, based on the  
25 discussions you've been having at the Board level; along

1 with our usual array of permits.

2 We also will be starting -- just want to let you  
3 know that we're starting a new series of training  
4 sessions, kind of Permitting 101. These are going to be  
5 two-day workshops that will be held at five locations  
6 around the state beginning in late February. So this will  
7 be bringing LEA's all the latest information on permitting  
8 and CEQA-related issues. And certainly for new LEA staff  
9 and new Board staff that will be a major training  
10 endeavor.

11 And then we also have a workshop scheduled here  
12 on March 29th on the issue of fires in piles of stored  
13 materials. We'll get more information to you on that.  
14 But we will -- we are working with the State Fire Marshal,  
15 and he will be participating in that workshop as we begin  
16 to discuss what else we can do to prevent and manage fires  
17 at solid waste facilities.

18 That's the end of my Deputy's report, Madam  
19 Chair.

20 If you have any questions, I'd be happy to answer  
21 them.

22 CHAIRPERSON MULÉ: Thank you, Howard.

23 Do we have any questions for Mr. Levenson?

24 No.

25 Well, let's get into the agenda.



1 I have here Item B or Board item 1.

2 Howard.

3 DEPUTY DIRECTOR LEVENSON: Pardon me?

4 CHAIRPERSON MULÉ: I'm sorry. We're ready to  
5 move forward this Board Item 1.

6 DEPUTY DIRECTOR LEVENSON: Item 1 is  
7 consideration of new projects for the Solid Waste Disposal  
8 and Codisposal Site Cleanup Program.

9 Before I turn that over to Wes Mindermann, I do  
10 want to indicate that there is a memo from me to Board  
11 members, that I provided to all the Board members on  
12 Monday, and the copies of which are available at the back  
13 of the room, about some of the funding provisions in the  
14 2136 program.

15 With that, I'll turn it over to Wes. I'm pleased  
16 to let you know that we do have a number of speakers in  
17 the audience in favor of some of these projects, including  
18 the Barstow one, including Assembly Member Maze, and who  
19 is here in support of that project.

20 Wes.

21 SOLID WASTE CLEANUP PROGRAMS SECTION SUPERVISOR  
22 MINDERMAN: Thank you, Howard.

23 Good morning, Madam Chair and members of the  
24 Committee.

25 Staff have evaluated and recommend the approval

1 of two new Illegal Disposal Site Cleanup Grants under the  
2 Solid Waste Disposal and Codisposal Site Cleanup Program  
3 this morning.

4 Sacramento County proposes a ten-step program to  
5 combat illegal dumping and aggressively confront the  
6 problem through the timely removal of trash, physical  
7 preventative measures, enforcement, and proactive outreach  
8 and education. The county proposes to concentrate on  
9 public rights-of-way in five zones with historical illegal  
10 dumping.

11 The county has requested, and staff are  
12 recommending, a grant in the amount of \$500,000.

13 The City of Barstow has identified 71 illegal  
14 disposal sites located on residential, park and  
15 commercially zoned properties located throughout the city.  
16 The city will contract with a local  
17 construction-demolition firm to clean up the sites and  
18 remove the solid waste for proper disposal.

19 The city has requested, and staff are  
20 recommending, a grant in the amount of \$498,891.50.

21 The amount proposed in this item for grants is  
22 approximately \$1 million. At the time this agenda item  
23 was prepared, program staff estimated that the amount  
24 available in the trust fund for future contracts, grants  
25 and loans was approximately \$2.5 million. If the Board

1 approves the proposed grants as staff recommend, staff  
2 estimate that there will be approximately \$1.5 million of  
3 unencumbered funds for the remainder of Fiscal Year  
4 2004-2005.

5           You may recall that the funds in the trust fund  
6 are continuously appropriated without regard to fiscal  
7 year and unused funds remain in the trust fund for  
8 potential use next year. There has been some concern  
9 expressed over the potential for unencumbered funds to be  
10 borrowed or swept for other purposes. There are currently  
11 statutory provisions, as outlined in the memo that was  
12 prepared by Howard, contained in Public Resources Code  
13 Section 48027 that prohibit or limit the possibility of  
14 such occurrences.

15           You may also recall that the unencumbered balance  
16 in the trust fund is used to fund new grants, augment  
17 existing contracts, or fund new contracts for  
18 Board-managed remediations, such as the ARS project in  
19 Huntington Park, and allows the Board latitude in  
20 responding to emergencies, such as the Crippen fire in  
21 Fresno last summer, and that the trust fund status is very  
22 dynamic.

23           The unencumbered balance in the trust fund  
24 depends on a number of factors such as cost recoveries,  
25 previously encumbered funds reverting, interests, et

1 cetera.

2           Staff are also aware and continue to -- aware of  
3 and continue to work on potential future projects. The  
4 fourth and last program grant cycle has a deadline of  
5 April 29th, 2005, for potential consideration of new grant  
6 proposals at the June 2005 Board meeting.

7           Based on all the above-mentioned factors, program  
8 staff recommend that if the Board does approve these  
9 grants, the unencumbered balance remain in the Solid Waste  
10 Trust Fund for no new grant loan -- grant or loan  
11 applications and that no new applications be accepted for  
12 the remainder of the fiscal year unless additional funds  
13 become available through cost recoveries or other  
14 measures. This would provide a contingency for potential  
15 emergency responses or other high priority Board-managed  
16 projects for the remainder of the fiscal year as  
17 determined by the Board.

18           In short -- or to summarize, the trust fund  
19 status and recommendation were included by staff to really  
20 seek input from the Committee and the Board on how to  
21 proceed for the remainder of the fiscal year. Staff are  
22 recommending that the Board adopt Resolution No. 2005-31  
23 and approve the proposed grants and direct staff to accept  
24 no new grant or loan applications for the remainder of the  
25 fiscal year unless additional funds become available

1 through cost recoveries or other measures.

2 That concludes my presentation. And I'd be happy  
3 to answer any questions.

4 CHAIRPERSON MULÉ: Thank you, Wes. Appreciate  
5 that.

6 Before we get to the questions, I'd like to have  
7 our speakers come up, if that's okay with the Committee.

8 Our first speaker is Assemblyman Maze.

9 Good morning, Assemblyman.

10 ASSEMBLYMAN MAZE: Good morning.

11 CHAIRPERSON MULÉ: Thank you for being here.

12 ASSEMBLYMAN MAZE: Madam Chairman and Board  
13 members and staff, I appreciate the opportunity to just be  
14 here in support of this project for the City of Barstow.  
15 Since becoming their new representative after the change  
16 in the census districts, representing a district of this  
17 magnitude with the diversity that we have, this town is in  
18 need of this type of assistance from the State EPA. And  
19 certainly it will have a great impact on the, you know,  
20 liability of the town, the safety and the quality of life  
21 and stuff with these number of sites that they have and as  
22 well as the tonnage that they have in effect.

23 So it's a great pleasure to be here and thank you  
24 for your consideration.

25 Rosario, great to see you again. She was in

1 Visalia a few years ago and we had a great time there.

2 And If you can imagine representing an area from Visalia  
3 clear out to Needles, California, we have quite a district  
4 to cover.

5 So, again, thank you very much this morning.

6 CHAIRPERSON MULÉ: Well, thank you for your time.  
7 We appreciate it.

8 ASSEMBLYMAN MAZE: Do you have any questions?

9 CHAIRPERSON MULÉ: Does anybody have any  
10 questions for the Assemblyman?

11 No.

12 Thank you.

13 COMMITTEE MEMBER MARIN: I would just like to say  
14 welcome, Assembly Member. It's so nice to have different  
15 titles.

16 ASSEMBLYMAN MAZE: Thank you.

17 COMMITTEE MEMBER MARIN: Thank you very much,  
18 Sir.

19 CHAIRPERSON MULÉ: Thank you.

20 Our next speaker is Gloria Darling.

21 MAYOR PRO TEM DARLING: Good morning.

22 CHAIRPERSON MULÉ: Good morning.

23 MAYOR PRO TEM DARLING: Thank you for the  
24 opportunity to be here.

25 Gloria Darling, Mayor Pro Tem for the City of

1 Barstow.

2 I want to thank you for the opportunity to  
3 prepare this grant and have it before you. Certainly we  
4 would appreciate the financial assistance. We have over  
5 8,000 tons of illegally dumped material that we had to get  
6 out of the area. Barstow, being the crossroads of  
7 opportunity, sometimes seems to be the dump of opportunity  
8 also. But we have involved our community a great deal and  
9 volunteer organizations have helped and we've done a  
10 massive cleanup. But we always get stopped because of  
11 environmental issues. And a grant such as yours would be  
12 real effective in helping us pursue and make our city a  
13 better place.

14 I appreciate your consideration and thank you.

15 CHAIRPERSON MULÉ: Well, again, thank you for  
16 your time.

17 And do we have any questions for the Mayor Pro  
18 Tem?

19 COMMITTEE MEMBER PAPARIAN: I just wanted to  
20 comment, I'm really happy when we're able to provide this  
21 kind of support to help clean up areas. And I know the  
22 desert has been an awful dumping ground for -- you know,  
23 throughout the desert.

24 One of the things I noted is the city is showing  
25 a commitment to trying to prevent this from happening

1 again through the code enforcement efforts and so forth.

2 MAYOR PRO TEM DARLING: That's correct.

3 COMMITTEE MEMBER PAPARIAN: And, you know, one of  
4 the things that -- that's one of the things I always look  
5 for, because the same people tend to dump over and over  
6 again.

7 MAYOR PRO TEM DARLING: Yes, they do.

8 COMMITTEE MEMBER PAPARIAN: And the same  
9 locations seem to be used over and over again. And I know  
10 that communities have really put some effort into it and  
11 have been able to at least slow down, if not stop, some of  
12 this activity by finding those who are responsible.

13 MAYOR PRO TEM DARLING: I appreciate that  
14 comment. As a legislative body in our community, we have  
15 quadrupled our code enforcement. And we've even  
16 redirected it to the Department of the Police, and it's  
17 been very, very effective for our community.

18 But I appreciate your comments. Thank you.

19 CHAIRPERSON MULÉ: Maybe we can use your success  
20 as a model for other communities to follow.

21 MAYOR PRO TEM DARLING: It certainly did work in  
22 our community. I'm glad to share that with anyone.

23 CHAIRPERSON MULÉ: We would love to have you  
24 share that with us. Thank you.

25 MAYOR PRO TEM DARLING: Thank you.



1 COMMITTEE MEMBER MARIN: I would just echo what  
2 Mr. Paparian said, Mayor. The most important thing for us  
3 is: We're going to spend this money. We want to make  
4 sure that you do everything you can to prevent it from  
5 happening again. Because the worst thing that we could do  
6 is give you the money and then two years down the road  
7 come in and have to do it again.

8 MAYOR PRO TEM DARLING: Exactly. And that's what  
9 we will try to prevent. And the cleanup and doing  
10 different things, certainly that is our final objective.  
11 And there would be an even more diligent enforcement of  
12 the codes down in that area. But once we do that, we  
13 found in just our community cleanups, the neighborhoods  
14 themselves, even if they're not close by, they take more  
15 of an interest. And they -- as a community, as a city,  
16 our disposal companies have even taken roll-offs to  
17 prevent some of the problems. So we are already --

18 COMMITTEE MEMBER MARIN: Yeah. You are  
19 definitely to be commended for your efforts, and we'll  
20 help along the way. And together I'm sure we can make  
21 sure that this doesn't happen again.

22 MAYOR PRO TEM DARLING: Thank you very much.

23 COMMITTEE MEMBER MARIN: Thank you, Mayor.

24 CHAIRPERSON MULÉ: Thank you.

25 Our next speaker is David Pelser.

1 David.

2 MR. PELSER: Good morning, Madam Chair, members  
3 of the Committee.

4 CHAIRPERSON MULÉ: Good morning.

5 MR. PELSER: I'm David Pelser with Sacramento  
6 County. I'm Director of the Department of Waste  
7 Management and Recycling.

8 And we too appreciate your consideration of our  
9 grant application and the time that your staff has spent  
10 with us, assisting us in preparing this program in a way  
11 that it will optimize the opportunity for success.

12 It is also similar to the Barstow program that we  
13 just heard about. Preventative in its emphasis to  
14 overcome some ongoing repeat behaviors that are  
15 problematic. And we want to get rid of those and start  
16 with a clean slate. And this grant will assist us in  
17 doing that. And I appreciate your consideration of this  
18 item this morning.

19 CHAIRPERSON MULÉ: Thank you very much.

20 Are there any questions for Mr. Pelser.

21 No.

22 Okay. And then I will open it to questions for  
23 staff.

24 COMMITTEE MEMBER MARIN: Thank you, Madam Chair.

25 One of the questions that I have -- and I'm

1 interested in the mechanics. So should we stop receiving  
2 applications, what effect would that have versus  
3 opening -- letting it be open? If two or three come in or  
4 ten come in, it doesn't matter because we're not going to  
5 fund them. But tell me the difference between leaving it  
6 open and agreeing that we're not going to fund anything  
7 until the next fiscal year versus closing it and not  
8 accepting any. Just what's the effect of that?

9 SOLID WASTE CLEANUP PROGRAMS SECTION SUPERVISOR

10 MINDERMAN: I think from program staff's perspective  
11 was -- you know, that was really kind of a recommendation  
12 that would give some benefit to our grantees. I mean  
13 these grants are very cumbersome. These are not small  
14 grants. They're very detailed proposals. The projects  
15 are very large. And we didn't want to end up in a  
16 situation where we had a submittal where we would have to  
17 deny a potential grantee due to the lack of funding. I  
18 mean that was one of the basic premises in our  
19 recommendation.

20 And, again, that's the risk. I mean if the  
21 Committee and the Board, you know, say, "Really, we'd like  
22 to continue it, to accept grant applications" -- and we do  
23 know there are a few grantees out there right now working  
24 on proposals -- as opposed to telling those grantees,  
25 "Wait until next fiscal year when we have a better idea of

1 what the funding situation will be in our other potential  
2 projects," you know, if the Board decides, "Well, we're  
3 comfortable doing that," then staff will certainly, you  
4 know, process the grants as they come in.

5           The other consideration is -- and it's kind of an  
6 odd consideration -- is that grants are awarded for three  
7 fiscal years including the fiscal year in which they are  
8 awarded. When we make an award late in fiscal year, such  
9 as June of Fiscal Year 2004-2005, we have essentially cut  
10 off 12 to 14 months of the grant time. So what we have to  
11 do with the grantees is make sure when they come in with  
12 their grant projects schedules is to say that grant will  
13 now have to be completed in April of 2007 as opposed to  
14 April of 2008, which would be the case if we were to award  
15 in the next fiscal year. It's not an impact on the  
16 program. It's just an impact on the grantee to say, "If  
17 we award late in the fiscal year, you're going to cut your  
18 project by 12 months or by 33 percent."

19           COMMITTEE MEMBER MARIN: Then just a quick  
20 question. What would constitute an emergency then? If  
21 we're not accepting any grants, how would we know that  
22 there's actually an emergency?

23           SOLID WASTE CLEANUP PROGRAMS SECTION SUPERVISOR  
24 MINDERMAN: Well, the two great unknowns in the program  
25 that we always are struggling to get a handle on are the

1 illegal disposal sites and the emergencies. You know,  
2 illegal disposal sites are very tough for us to predict  
3 when they're going to pop up, because by their very nature  
4 they're illegal. I wish I could tell you how many exactly  
5 there are out there. But, you know, when we get like the  
6 Crippen fire, that was an illegal disposal site.

7           Emergencies, again, I can't tell you what -- I  
8 wish I knew what potential emergencies there are. But  
9 let's say you had, for instance, a fire at a recycling  
10 facility or a material recovery facility or a landfill.  
11 That would constitute an emergency.

12           For instance, with all the rains in southern  
13 California, there are several closed landfills that sit on  
14 a lot of those waterways. And we have been aware that  
15 there are certain issues where we've had washouts. So  
16 those could potentially be emergencies if we get another  
17 huge storm event.

18           COMMITTEE MEMBER MARIN: Will this language allow  
19 for that since we're not accepting applications -- do you  
20 understand my --

21           SOLID WASTE CLEANUP PROGRAMS SECTION SUPERVISOR  
22 MINDERMAN: That's correct. This language -- you know,  
23 we tried -- when we crafted the recommendation, we tried  
24 to leave it as open and as flexible as possible. Again,  
25 we understand that the trust fund condition is very

1 dynamic. The way we've worded this recommendation is that  
2 if we did all of a sudden get an influx of cost  
3 recovery -- for instance, on aggregate recycling systems,  
4 let's say the owner decided to write us a check for all  
5 the work we did out there for \$2 million -- we could come  
6 back to the Board and say, "We made this recommendation  
7 that if more funds become available, we would come to  
8 you," and those grant applications could be accepted.

9 DEPUTY DIRECTOR LEVENSON: Madam Chair, If I  
10 might add in something.

11 I'm very comfortable with staff's recommendation,  
12 but I also understand the concern that is being expressed  
13 by at least one member of the Committee. And, you know,  
14 one possibility for us is to go ahead and continue  
15 accepting grant applications, but let applicants know that  
16 if we have a situation that requires -- as a higher  
17 priority an emergency response or something like that  
18 requires the Board to authorize the expenditure of those  
19 funds, that they may not be funded in this cycle. We  
20 could also work with them to make sure that their  
21 applications are still acceptable for the following -- the  
22 first cycle of next year, that might take a little bit of  
23 updating but they wouldn't have to resubmit their entire  
24 application.

25 One other consideration to just take into account

1 is just that we do not get a new infusion of funds into  
2 the trust fund until such time as the budget itself is  
3 signed. So, you know, we could be in a gap. Even with  
4 our best analysis, if we come to you in June and say we  
5 don't know of any emergencies, we have a few grants, if  
6 something happens in July and the budget hasn't been  
7 signed, then we have to wait. There may be -- we may have  
8 some cost recovery monies or other funds that become  
9 available that we could use.

10 But just so you're aware of those  
11 circumstances -- potential circumstances.

12 COMMITTEE MEMBER MARIN: Well, I agree with that  
13 recommendation then. I would definitely go for that.

14 CHAIRPERSON MULÉ: And thank you, Howard and  
15 Chair Marin. I had the same concern about continuing to  
16 accept applications. And I think if we notify the  
17 applicants that they may in fact not be funded this fiscal  
18 year but it can carry over into the next fiscal year,  
19 that's something that I'm comfortable with as well.

20 DEPUTY DIRECTOR LEVENSON: Okay. For purposes of  
21 clarification I'd like to direct you to the last phrase of  
22 the resolution. Get my glass on here.

23 That does include the staff recommendation. We  
24 could delete that and revise that for purposes of the  
25 Board meeting, and just take it as direction from the

1 Committee that we would inform grant applicants of the  
2 potentials for not being funded, or we could actually  
3 insert that formally into the resolution. I think  
4 striking that phrase and receiving your direction would be  
5 sufficient.

6 CHAIRPERSON MULÉ: Yeah.

7 And go ahead, Board Member Paparian.

8 COMMITTEE MEMBER PAPARIAN: That works for me,  
9 yeah, what you just said. I think you could eliminate the  
10 sentence and then just take the direction and you've got  
11 it taken care of it.

12 CHAIRPERSON MULÉ: Okay. So it sounds like we've  
13 got consensus to delete that final "be it further  
14 resolved," that final provision there. And then we will  
15 bring it -- it sounds like again the Committee has agreed  
16 that we will -- we want to continue to accept applications  
17 and, again, include that provision to the grant applicants  
18 that it may carry over to the next fiscal year.

19 And then we would just move this forward to the  
20 full Board for concurrence? Or how -- legally how would  
21 we --

22 DEPUTY DIRECTOR LEVENSON: But I suggest that we  
23 vote on a resolution.

24 CHAIRPERSON MULÉ: Can we vote on it now, okay,  
25 as amended?



1           Okay. Does anybody want to move?

2           COMMITTEE MEMBER PAPARIAN: I'll move Resolution  
3 2005-31.

4           COMMITTEE MEMBER MARIN: Second.

5           DEPUTY DIRECTOR LEVENSON: With the one provision  
6 stricken.

7           COMMITTEE MEMBER MARIN: With that proviso.

8           COMMITTEE MEMBER PAPARIAN: The change we just  
9 discussed.

10          CHAIRPERSON MULÉ: We have a move by Board Member  
11 Paparian and second by Chairwoman Marin.

12          Donnell, could you call the roll.

13          SECRETARY DUCLO: Certainly.

14          Marin?

15          COMMITTEE MEMBER MARIN: Aye.

16          SECRETARY DUCLO: Paparian?

17          COMMITTEE MEMBER PAPARIAN: Aye.

18          SECRETARY DUCLO: Mulé?

19          CHAIRPERSON MULÉ: Aye.

20          DEPUTY DIRECTOR LEVENSON: And, Madam Chair,  
21 could we, with your indulgence, place that on consent?

22          CHAIRPERSON MULÉ: Yes.

23          DEPUTY DIRECTOR LEVENSON: And we would have a  
24 revised resolution in the next day or two.

25          CHAIRPERSON MULÉ: Absolutely.

1           Okay. Very good. Thank you.

2           COMMITTEE MEMBER PAPARIAN: I think it's  
3 actually -- fiscal consensus I think is the --

4           CHAIRPERSON MULÉ: Yeah, this would be fiscal  
5 consensus.

6           Okay. Thank you, Wes, thank you, Howard.

7           Our next item is C or February Board Item 2.

8           DEPUTY DIRECTOR LEVENSON: That is the  
9 consideration of a new Solid Waste -- Full Solid Waste  
10 Facilities Permit for the San Martin Transfer and  
11 Recycling Station in Santa Clara County.

12           And Bea Poroli is going to make that  
13 presentation.

14           And before she does that, she -- I want to  
15 indicate that we have some revised portions of the item  
16 that we passed out to Board members and that are available  
17 at the back of the room. These revisions were made late  
18 yesterday. And Bea will indicate the major changes to  
19 you.

20           MS. POROLI: Good morning.

21           This facility's operated by South Valley Disposal  
22 and Recycling, Incorporated, an owned by Sunset  
23 Properties, Incorporated. The proposed permit is to allow  
24 the operation of a large volume transfer and processing  
25 facility.

1           At the time the original item was written, the  
2 Santa Clara County Planning Commission had yet to consider  
3 the final environmental impact report, or EIR, for the  
4 project. The Planning Commission was scheduled to meet on  
5 February 3rd, 2005.

6           On February 3rd, the Planning Commission met and  
7 certified the EIR, approving Alternative No. 4 as  
8 described in the EIR. The Planning Commission found that  
9 all potential significant effects were mitigated to less  
10 than significant with the approval of Alternative No. 4.

11           On February 4th, the LEA provided their final  
12 determination that the proposed permit is consistent with  
13 the EIR.

14           On February 9th the final proposed permit was  
15 received and was updated to include the date the EIR was  
16 certified, and a notice of determination was filed, and  
17 the addition of number 17, conditions L and M, on page 4  
18 of the permit in order to make the permit consistent with  
19 Alternative 4 of the EIR.

20           The agenda item was updated on February 9th. The  
21 updated agenda now reflects that all of the requirements  
22 have been met, as indicated on page 2-3 of the revised  
23 item.

24           In conclusion, staff recommend the Board adopt  
25 Solid Waste Facility Permit Decision No. 2005-32,

1 concurring in the issuance of the Solid Waste Facility  
2 Permit 43-AA-003.

3 Representatives of the LEA and operator are  
4 present to answer any questions you may have.

5 This concludes staff's presentation.

6 CHAIRPERSON MULÉ: Thank you.

7 Do we have any speakers on this?

8 SECRETARY DUCLO: No, we don't.

9 CHAIRPERSON MULÉ: And do the Committee members  
10 have any questions on this?

11 COMMITTEE MEMBER MARIN: I'm just glad that all  
12 of this was done prior to this Committee meeting.

13 So I will be moving the item, Madam Chair.

14 COMMITTEE MEMBER PAPARIAN: Yeah, let me just --  
15 yeah, I think -- what I'm trying to read quickly is the  
16 revisions. Let me just make sure I understand it right.

17 The CEQA was done and we concur with what the LEA  
18 says in terms of all the impacts being reduced to below  
19 significant --

20 MS. POROLI: Correct.

21 COMMITTEE MEMBER PAPARIAN: -- is that what  
22 I'm --

23 MS. POROLI: And actually the proposed permit  
24 that was received on February 9th actually added two  
25 conditions that actually supported that EIR. And that

1 we're satisfied with.

2 COMMITTEE MEMBER PAPARIAN: Okay. So we have a  
3 revised permit then also?

4 MS. POROLI: Correct. That was submitted to you  
5 this morning, I believe.

6 CHAIRPERSON MULÉ: What are the two conditions?  
7 Could you just let us -- because we just received this  
8 prior to the meeting, and we haven't really had an  
9 opportunity to review it. So thank you.

10 MS. POROLI: Condition L is: Source-separated  
11 food waste and/or source separated food waste commingled  
12 with yard waste will not be accepted unless the TPR is  
13 revised to include appropriate and mitigating measures.

14 Condition M: The operator shall notify the LEA  
15 of all odor complaints so that the LEA can refer the  
16 matter to the local air district for enforcement and/or  
17 follow-up. Odor complaints may also be lodged into the  
18 odor complaint log book maintained at the facility.

19 COMMITTEE MEMBER PAPARIAN: Okay. The L -- so  
20 they'll be able to take commingled food waste without  
21 coming back for a permit revision if the TPR is --

22 PERMITTING & INSPECTION BRANCH MANAGER de BIE: I  
23 promised Bea I would stand up if we got into the details.

24 Mark de Bie with Permitting and Inspections.

25 Alternative 4 did include food waste. But it

1 also included a mitigation measure that any food waste  
2 left on the -- brought to the site would be removed in 24  
3 hours. The applicant indicates that they have no plans at  
4 this time to receive food waste. So the permit is written  
5 in such a fashion that if sometime in the future they do  
6 decide to implement that aspect of the project that's been  
7 reviewed in the EIR, they would need to revise their  
8 operating document to indicate how they would comply with  
9 the mitigation measure to remove that material within 24  
10 hours. Right now there is no requirement in there.

11 Certainly an alternative approach could have  
12 been, you know, to sort of load it up early. But since it  
13 would be speculation at this time whether they would or  
14 wouldn't, it's been left out.

15 So the answer to your question is they would not  
16 need to come back and revise the permit in order to accept  
17 food waste, but they would need to revise their operating  
18 document. The LEA would need to review that, determine if  
19 it was in compliance with CEQA before approving it.

20 COMMITTEE MEMBER PAPARIAN: Okay. So if the LEA  
21 at that point was uncomfortable with how they were  
22 proposing to handle the food waste and get it out in 24  
23 hours, the LEA would then have the power to say, "No, you  
24 got to do it in some other way"?

25 PERMITTING & INSPECTION BRANCH MANAGER de

1 BIE: That's correct. The LEA would need to review and  
2 formally approve that change. And in that process if they  
3 had issues, they could work it out at that time.

4 COMMITTEE MEMBER PAPARIAN: Okay. Thank you.

5 CHAIRPERSON MULÉ: Thank you, Mark.

6 Okay. Any other questions?

7 COMMITTEE MEMBER MARIN: Move approval of --  
8 what's the resolution number? -- yeah, 2005-32.

9 COMMITTEE MEMBER PAPARIAN: I'll second that.  
10 That's the revised resolution that we have.

11 COMMITTEE MEMBER MARIN: Yes.

12 CHAIRPERSON MULÉ: Yes. And --

13 STAFF COUNSEL BLEDSOE: Pardon me.

14 Excuse me. Mr. Paparian just said that that's  
15 the revised resolution.

16 CHAIRPERSON MULÉ: Okay. For the record,  
17 correct?

18 STAFF COUNSEL BLEDSOE: Yes.

19 CHAIRPERSON MULÉ: Okay.

20 COMMITTEE MEMBER MARIN: That's what I said.

21 STAFF COUNSEL BLEDSOE: I'm sorry. I did not  
22 hear you say it, but I did hear Mr. Paparian --

23 CHAIRPERSON MULÉ: Her microphone went off.

24 Okay. We have motion by Chairperson Marin and  
25 seconded by Board Member Paparian.

1           Could we substitute the roll?

2           Okay.   Going to substitute the roll call for  
3   that.

4           And we can place this one on consent.

5           Okay, Howard.   Next item is Item --

6           DEPUTY DIRECTOR LEVENSON:   -- Item D.

7           CHAIRPERSON MULÉ:   -- Item D or Board Member Item  
8   3.

9           DEPUTY DIRECTOR LEVENSON:   And this item is  
10   consideration of a new Full Solid Waste Facilities Permit  
11   for the South Lake Resource Recovery and Compost Facility  
12   on Quackenbush Mountain in Lake County.

13           Allison Spreadborough will present that item.

14           This again is one for which we've provided some  
15   revisions to you this morning and are available on the  
16   back table.

17           MS. SPREADBOROUGH:   Thank you, Mr. Levenson.

18           The proposed permit is for a new  
19   transfer/processing permit for the South Lake Resource  
20   Recovery and Compost Facility -- I'll now refer to it as  
21   SLRRC -- in Lake County.   The facility is owned and  
22   operated by Mr. Bob Pestoni.

23           The proposed permit identifies the following  
24   information:   The facility size is 23 acres.   The total  
25   tonnage of 460 tons per day, with 200 tons per day of C&D



1 debris -- construction and demolition debris -- at the  
2 transfer/processing facility and 260 tons per day of  
3 compostable materials at the compostable materials  
4 handling facility. The new facility will process  
5 construction and demolition debris and mobile home  
6 deconstruction in addition to composting.

7 Traffic is limited to 100 vehicles per day. The  
8 hours that the operator conducts solid waste operations  
9 are from 7 o'clock a.m. to 6 o'clock p.m., seven days a  
10 week.

11 Board staff have reviewed the proposed permit and  
12 supporting documentation and have determined that all the  
13 requirements for the proposed permit have been fulfilled.

14 Staff reviewed the proposed permit and supporting  
15 documentation and have made the following findings:

16 Number 1, County Integrated Waste Management Plan  
17 Conformance. The Office of Local Assistance staff found  
18 that the location of the SLRRC is identified in the County  
19 of Lake's nondisposal facility element and, therefore, the  
20 proposed permit for the facility is in conformance with  
21 PRC Section 50001.

22 Number 2, Conformance with State Minimum  
23 Standards. Board staff performed a pre-permit inspection  
24 of the facility on January 27th, 2005. Six violations of  
25 state minimum standards the recordkeeping were noted at

1 the time of the inspection. As of today the only  
2 outstanding violation that had not been corrected to the  
3 LEA's satisfaction is Section 17869(h) for recordkeeping  
4 training.

5 Number 3, Compliance with CEQA. The Lake County  
6 Community Development Department acting as lead agency  
7 prepared a 2003 mitigated negative declaration, State  
8 Clearinghouse No. 2003-112049. On December 23rd, 2003,  
9 the Lake County Board of Supervisors approved and adopted  
10 the mitigated negative declaration.

11 Board staff have reviewed the mitigated negative  
12 declaration and determined that it is adequate for the  
13 Board's environmental evaluation of the proposed project.

14 As indicated within the summary table of the  
15 Board's findings on page 4 of this item, the SLRRC's  
16 completeness is adequate and acceptable.

17 In conclusion, we understand that there's new  
18 information relative to the state minimum standards, and  
19 I'll defer to Mr. Mark de Bie for the recommendation of  
20 staff.

21 PERMITTING & INSPECTION BRANCH MANAGER de  
22 BIE: Thank you, Allison.

23 Just prior to the Committee meeting we were  
24 talking with the applicant and trying to determine their  
25 status in coming into compliance with this last standard

1 in the recordkeeping. And maybe I can ask either the  
2 applicant or their consultant to give you the details on  
3 what they're working on. But for now, right now, this  
4 minute we don't have it as yet. But I'll defer to them  
5 for details on what they're doing to comply with that.

6 And then after they're finished, either I or  
7 Howard will indicate how staff would like to approach it.

8 CHAIRPERSON MULÉ: Okay. Thank you, Mark.

9 I know we do have a speaker slip for Mr. Pestoni.  
10 So if you would like to come up.

11 MR. PESTONI: Thank you, Chairman. Bob Pestoni.  
12 And my brother and I are owners of the project here at  
13 Quackenbush Mountain.

14 And I have to, a bit, apologize for the training  
15 records that were not accompanying our operation there.  
16 They have a simple explanation. We operate an operation  
17 in the Napa Valley. And some of those people that we have  
18 have come up and worked with our -- the people on the  
19 mountain as training purposes. We are doing a -- we did a  
20 chip and grind there at the facility and at the lower  
21 facility where we received the material, and then we  
22 transported those materials up on to the mountain until we  
23 could get fully complied with in our permits.

24 So I have to admit that our training site had  
25 been not quite to the level. But I think the personnel

1 were trained properly. They were brought up from our  
2 facility in Napa to work with our people there.

3 We are going to make certain that we have that  
4 training information available to all our people. I don't  
5 think we've neglected in doing our job. But the  
6 documentation wasn't there, and I do apologize.

7 CHAIRPERSON MULÉ: So, Mr. Pestoni, then you're  
8 saying you will get the documentation to us?

9 MR. PESTONI: Oh, absolutely.

10 CHAIRPERSON MULÉ: Do you have any idea on a  
11 timeline on that?

12 MR. PESTONI: In the next day or so we'll have it  
13 done.

14 CHAIRPERSON MULÉ: Oh, okay.

15 Thank you.

16 MR. PESTONI: Thank you.

17 Does anybody have any questions?

18 CHAIRPERSON MULÉ: Any other questions?

19 Chair Marin.

20 COMMITTEE MEMBER MARIN: No. I certainly would  
21 like to have the recommendation from staff. But we've  
22 been to your property. I know that this is a different  
23 property. Isn't it? This is a very different property.  
24 But we know how you have run your business, and we were  
25 very impressed with your operation. I was surprised to

1 hear that documentation wasn't ready, when we think that  
2 you do a very good job.

3 So impress us again and bring this needed  
4 information for us, Mr. Pestoni.

5 MR. PESTONI: Thank you.

6 CHAIRPERSON MULÉ: Any questions, Mr. Paparian,  
7 staff?

8 DEPUTY DIRECTOR LEVENSON: Thank you, Madam  
9 Chair, and thank you Mr, Pestoni.

10 Prior to hearing that testimony, of course  
11 without that record we would have to recommend  
12 nonconcurrence in the issuance of the permit. But given  
13 that information, if we can get the documentation in in  
14 the next day or two and the LEA and our staff are  
15 satisfied with that documentation, then we would be  
16 prepared to recommend concurrence.

17 So given that, I'd suggest perhaps that the  
18 Committee forward this to the Board with a recommendation  
19 of concurrence, on the condition that that documentation  
20 is satisfactorily provided. And then we would go ahead  
21 and revise the resolution accordingly prior to the Board  
22 meeting.

23 CHAIRPERSON MULÉ: Do I have a motion?

24 COMMITTEE MEMBER MARIN: Yeah. Madam Chair, I  
25 move that we approve this contingent upon the

1 documentation that is necessary, Resolution 2005-33  
2 revised. And I am sure Mr. Pestoni will provide the  
3 information.

4 With that, after we vote, this probably should  
5 qualify for consent.

6 DEPUTY DIRECTOR LEVENSON: As long as we receive  
7 that, at the Committee's pleasure. Certainly if there's a  
8 problem, we would indicate that to you and --

9 COMMITTEE MEMBER MARIN: Oh, if there's a  
10 problem, we can't vote on that.

11 CHAIRPERSON MULE: Michael.

12 STAFF COUNSEL BLEDSOE: Madam Chair, Michael  
13 Bledsoe from the Legal Office.

14 I think in this situation, because both the item  
15 and the resolution are going to have to be revised again  
16 and they're not before you right now, it'd be better to  
17 forward this to the Board with your recommendation, but  
18 actually not be on consent.

19 CHAIRPERSON MULÉ: Okay.

20 COMMITTEE MEMBER PAPARIAN: Yeah, I --

21 CHAIRPERSON MULÉ: Thank you, Mr. Bledsoe.

22 COMMITTEE MEMBER PAPARIAN: Yeah, I'd feel more  
23 comfortable with that. I mean I'm supportive provided  
24 that we get the information we need. But I think just to  
25 be as clean as possible.

1 CHAIRPERSON MULÉ: Right, I agree, I agree.

2 Thank you for that clarification.

3 So with that, we do have a motion or just a  
4 recommendation -- motion?

5 COMMITTEE MEMBER MARIN: Yeah, motion for  
6 support.

7 COMMITTEE MEMBER PAPARIAN: Yeah, it's a  
8 recommendation to the --

9 CHAIRPERSON MULÉ: Recommendation.

10 COMMITTEE MEMBER PAPARIAN: And I'd support the  
11 recommendation with the provisos that the staff discussed.

12 COMMITTEE MEMBER MARIN: To the full Board.

13 CHAIRPERSON MULÉ: Okay. That's it.

14 DEPUTY DIRECTOR LEVENSON: That's fine.

15 CHAIRPERSON MULÉ: Okay. Good. Thank you.

16 Thank you, Mr. Pestoni, for being here.

17 Okay. Our next item, Howard, is Item E or Board  
18 Item 4.

19 DEPUTY DIRECTOR LEVENSON: Thank you. And this  
20 is our last item.

21 This is consideration of a revised full Solid  
22 Waste Facilities Permit for the Western El Dorado Recovery  
23 Systems Facility in El Dorado County.

24 And, as you recall, this was on last month's  
25 calendar, but was pulled off so that we could finalize

1 some of the information.

2 And presenting that item will be Jenifer Kiger.

3 MS. KIGER: Thank you, Mr. Levenson.

4 The proposed permits for the revision of the May  
5 2002 Solid Waste Facility Permit for the Western El Dorado  
6 Recovery System's MRF and Transfer Station.

7 The facility is owned and operated by the Western  
8 El Dorado Disposal Services, Incorporated.

9 The proposed permit includes the following  
10 changes:

11 A 30-minute increase in the hours for receipt of  
12 wastes from the public and for operator and contract staff  
13 to conducting solid waste operations during the spring and  
14 summer months to 8 to 5:30 p.m., April 1st through  
15 September 30th each year.

16 Removal of the construction, demolition and inert  
17 activities and green and wood waste activities from under  
18 the transfer station's full permit. Both of these  
19 activities will continue at the facility complex.

20 However, they will be separately permitted operations.

21 And incorporation of the new transfer/processing  
22 report dated November 2004.

23 Board staff have reviewed the proposed permit and  
24 supporting documentation and have determined that all the  
25 requirements for the proposed permit have been fulfilled.



1           On January 6th, 2005, Board staff performed a  
2 pre-permit inspection of the facility and found a  
3 violation of the recordkeeping requirements of Title 14,  
4 Section 17414(a). One set of tonnage records was being  
5 maintained for all three separately permitted activities.  
6 Board staff worked with the operator and the LEA to  
7 resolve the recordkeeping issues, and on January 20th  
8 during a follow-up inspection the operator submitted a new  
9 template for tonnage records and fourth quarter tonnage  
10 reports for the transfer station, correcting this  
11 violation.

12           On January 20th Board staff determined that the  
13 facility was in compliance with the terms and conditions  
14 of the solid waste facility permit and state minimum  
15 standards.

16           As indicated within the summary table of the  
17 Board's findings on page 4 of this agenda item, the  
18 proposed permit for the facility is in conformance with  
19 PRC 50,001, the RFI's completeness is adequate and  
20 acceptable, and the environmental document is adequate for  
21 the proposed project.

22           In conclusion, Board staff recommends concurrence  
23 in the issuance of the proposed permit and adoption of  
24 Resolution No. 2005-23.

25           Mr. Lem Estolas, representing the El Dorado

1 County LEA, Mr. Lloyd Dillon, and Mr. Tim Willett,  
2 representing the operator, are present to answer any  
3 questions that you may have.

4 This concludes staff's presentation. Are there  
5 any questions?

6 CHAIRPERSON MULÉ: Thank you.

7 Are there any questions?

8 Mr. Paparian.

9 COMMITTEE MEMBER PAPARIAN: Yeah, thank you.

10 I know there were some community concerns about  
11 litter and traffic. And, you know, some of those are not  
12 related to the permit right before us, but I wanted to, as  
13 long as folks are here, just get an indication of how  
14 those are being handled. Are things improving? We hope.

15 MS. KIGER: Are you referring to the article that  
16 was in the Sacramento Bee recently.

17 COMMITTEE MEMBER PAPARIAN: Yeah. And then I  
18 think one of the local papers up there to.

19 MS. KIGER: Because I -- aside from the permit  
20 action that's occurring, I know that the operator is in  
21 the process of changing their collection system. They're  
22 going to a three-bin collection system. And a lot of that  
23 is source-separated material that goes to their  
24 source-separated recycling activity that's separate from  
25 this permit. And I know that they're going to be

1 relocating that to a different spot on their site to  
2 address the traffic circulation issues there. So they  
3 have a lot of multi-issues going on. And this permit is  
4 just part of getting them to where they're going.

5 COMMITTEE MEMBER PAPARIAN: Okay. So are we  
6 expecting to see another permit then related to --

7 MS. KIGER: Probably in two, two and a half years  
8 we probably will.

9 DEPUTY DIRECTOR LEVENSON: Would you like the  
10 operator to speak more to that, Mr. Paparian?

11 Yeah, go ahead. Just curiosity here how things  
12 are being handled.

13 MR. WILLETT: With regard to the traffic  
14 situation that's addressed in the -- Oh, my name is Tim  
15 Willett and I work with Western El Dorado Recovery System  
16 and Waste Management. Good morning.

17 With regard to the traffic considerations, what  
18 we are doing is we're going to make some temporary changes  
19 to the facility's operation and increase the quantity of  
20 space for the public to dump by ten more spaces, which  
21 will help us a lot. We're also going to increase the  
22 number of gatehouse operations to two so we can actually  
23 handle two lanes of traffic and direct the traffic in  
24 different directions to accomplish what we need.

25 COMMITTEE MEMBER PAPARIAN: Okay. Yeah, I think

1 you're probably seeing a lot of the growth in the area  
2 affecting your situation.

3 MR. Willett: Yes.

4 COMMITTEE MEMBER PAPARIAN: Okay. Thank you.

5 MR. WILLETT: Thank you.

6 CHAIRPERSON MULÉ: Are there any other questions  
7 for staff?

8 Do I have a motion to approve?

9 COMMITTEE MEMBER MARIN: I move approval of  
10 Resolution 2005-23.

11 COMMITTEE MEMBER PAPARIAN: I'll second it.

12 CHAIRPERSON MULÉ: Moved by Chair Marin and  
13 seconded by Board Member Paparian.

14 If you could substitute the previous roll.

15 Thank you.

16 And, Howard, do you have any other items?

17 DEPUTY DIRECTOR LEVENSON: No, but I'd like to  
18 make one final comment. But also ask if that can be  
19 placed on consent please.

20 CHAIRPERSON MULÉ: Oh, I'm sorry. Yes.

21 Thank you.

22 DEPUTY DIRECTOR LEVENSON: Thank you.

23 Just as a closing comment, all three of these  
24 items I think reflect a lot of the complexity that staff  
25 and the operators and the LEA's have to work through

1 before bringing you a permit that is consistent with state  
2 standards and that we can act on in concurring in the  
3 issuance of the permit.

4 I want to thank Jenifer and Bea and Allison on  
5 these and the operators and the LEA's. Because, as you  
6 can see, there was a lot of back and forth on all three of  
7 these over the last few months to get them in a shape  
8 that's ready for your consideration.

9 CHAIRPERSON MULÉ: Right.

10 Yes. As we know, this item was before us --  
11 well, it was pulled just before our previous meeting. So  
12 there is a lot of complex issues that we need to address  
13 before we concur with these. So thank you.

14 COMMITTEE MEMBER MARIN: Madam Chair, I only have  
15 one comment.

16 I want everybody to sing Happy Birthday to Scott,  
17 who turned 68 last weekend.

18 (Laughter.)

19 CHAIRPERSON MULÉ: Sixty-eight? I thought he was  
20 only of 65.

21 Well, I'm not going to lead the group in singing  
22 Happy Birthday.

23 But, if I may, if there's any other public  
24 comment prior to us adjourning. Then can we sing Happy  
25 Birthday, or would you like it on the record?

1 COMMITTEE MEMBER MARIN: No, I --

2 CHAIRPERSON MULÉ: Oh, I thought you wanted it on  
3 the record. I wasn't sure.

4 Any public comment?

5 With that, this meeting is adjourned. Thank you  
6 all.

7 (Thereupon the California Integrated Waste  
8 Management Board, Permitting and Enforcement  
9 Committee meeting adjourned at 10:20 a.m.)

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1 CERTIFICATE OF REPORTER

2 I, JAMES F. PETERS, a Certified Shorthand  
3 Reporter of the State of California, and Registered  
4 Professional Reporter, do hereby certify:

5 That I am a disinterested person herein; that the  
6 foregoing California Integrated Waste Management Board,  
7 Permitting and Enforcement Committee meeting was reported  
8 in shorthand by me, James F. Peters, a Certified Shorthand  
9 Reporter of the State of California, and thereafter  
10 transcribed into typewriting.

11 I further certify that I am not of counsel or  
12 attorney for any of the parties to said meeting nor in any  
13 way interested in the outcome of said meeting.

14 IN WITNESS WHEREOF, I have hereunto set my hand  
15 this 17th day of February, 2005.

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